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**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

IN RE:

THE RHODES COMPANIES, LLC,
 Aka "Rhodes Homes", et al.,

Reorganized Debtors.¹

Case No. BK-09-14814-LBR
 (Jointly Administered)

Chapter 11

**MOTION FOR ORDER REQUIRING
 PRODUCTION OF ONE OR MORE
 CORPORATE REPRESENTATIVES FOR
 EXAMINATION IN ACCORDANCE WITH
 FEDERAL RULE OF BANKRUPTCY
 PROCEDURE 2004**

[No hearing required]

In accordance with Federal Rule of Bankruptcy Procedure 2004, the Litigation Trust of
 The Rhodes Companies, LLC, et al. (the "Litigation Trust" or "Movant") hereby moves this
 Court for an order requiring that City National Bank (the "CNB") produce one or more corporate
 representatives for examination on a business day no earlier than fourteen (14) business days

¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (90206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Ralty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Clubb, LLC (7132); Pinnacle Grading, LLC (4838).

1 after the entry of an order granting this Motion, or at such other mutually agreeable location,
2 date, and time, and continuing from day to day thereafter until completed.

3 This Motion is further explained in the following Memorandum.

4 **Memorandum**

5 The Litigation Trust seeks information concerning the Reorganized Debtors and their
6 pre-bankruptcy acts, conduct, property, liabilities and financial condition. Specifically, the
7 Litigation Trust seeks information concerning banking and financial services provided by CNB
8 to the Reorganized Debtors. The Litigation Trust seeks this information from CNB to assist in
9 the collection of the assets and the investigation of the liabilities of the Reorganized Debtors.
10

11 The requested discovery from CNB is within the scope of examination permitted under
12 Rule 2004, which includes:

13 [t]he acts, conduct, or property or . . . the liabilities and financial condition of the
14 debtor, or . . . any matter which may affect the administration of the debtor's
15 estate, or to the debtor's right to a discharge. In a . . . reorganization case under
16 chapter 11 of the Code, . . . the examination may also relate to the operation of
17 any business and the desirability of its continuance, the source of any money or
property acquired or to be acquired by the debtor for purposes of consummating a
plan and the consideration given or offered therefore, and any other matter
relevant to the case or to the formulation of a plan.²

18 **Conclusion**

19 Accordingly, the Litigation Trust requests that this Court enter the form of order
20 submitted with this Motion.
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² FED.R. BANKR. P. 2004(b).

Dated: February 24, 2012.

DIAMOND MCCARTHY LLP

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CERTIFICATE OF SERVICE

I hereby certify that I am employee of the law firm of DIAMOND MCCARTHY LLP, and that on the 24th day of February 2012, a true and correct copy of the foregoing **MOTION FOR ORDER REQUIRING PRODUCTION OF ONE OR MORE CORPORATE REPRESENTATIVES FOR EXAMINATION PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004** was served by the Court's CM/ECF system to:

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